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The Mail Cover Story

By Tom Wicker

When Richard Helms became director of the Central Intelligence Agency in 1966, he knew that the agency's mail cover program was illegal—or would be unless, as Mr. Helms now says he assumed to be the case, some form of legality had been arranged by Allen Dulles, the C.I.A. director when the program was started in 1953.

That may have been a logical assumption, but the trouble was that Mr. Helms did not bother to check its validity with Mr. Dulles—"it would not have occurred to me to fault him on a matter of law." Nor, apparently, did Mr. Helms check his assumption with anyone else who might have known; he just let the mail cover program go forward.

That testimony and the rest of what the Senate Intelligence Committee has been hearing about C.I.A. mail covers provide a sort of catalogue of the evils that allowed the agency to go its own way for so long, to violate the law and its own charter with impunity, to become a sort of government within the Government.

Mr. Helms' "assumption," for example, not only emphasizes the fact that the C.I.A. was scarcely accountable to anyone, and that its power to operate in secrecy was, in fact, the power to do virtually anything it wanted to do. It also suggests the arrogant, expansive and dangerous habits of mind officials can develop when they can act in secret and without accounting for such acts.

Mr. Helms further testified that when he signed a statement in 1970 informing Richard Nixon that the mail cover program had been ended, he had no intent to mislead Mr. Nixon—although the C.I.A. mail cover program was continued until 1978. The 1970 report, he said, had referred to an F.B.I. mail cover program.

Of all the devices of high-handed government, none is more insidious than this—the statement that is bound to mislead although it was "not intended" to mislead, that does not tell the truth although it does not tech-

nically tell a lie, that distorts or conceals or obscures facts while appearing to be a straightforward response. The C.I.A. may not have originated the technique, but its officials became master practitioners.

The Helms testimony left the impression that at whatever political level—if any—the mail cover program might have been authorized in 1953 or afterward, it was not by a President. He thought he recalled mentioning the program to President Johnson, more than a decade after its inception, although he could not be sure. But he could not remember if Presi-

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dents Eisenhower or Kennedy had been told about it by his predecessors, and he did not remember telling Mr. Nixon himself.

"You've got to protect the President from the dirty stuff," Mr. Helms told reporters after testifying. It could as easily be said that a man in his position, or Allen Dulles before him, had to keep the President from finding out what was going on, so that the illegal "dirty stuff" could proceed.

And even if the motive was to "pro-

tect" Presidents, why should they be protected? The highest duty of any President is to take care that the laws be faithfully executed, and no President has a right to be insulated from the knowledge that his own subordinates are deliberately breaking the law. To whom should they justify doing so, if they can, except to the President?

Mr. Helms said he never discussed the mail cover program with any of the Congressional oversight committees to whom he supposedly reported. That can only mean that they didn't ask him anything, and he volunteered nothing about such important invasions of the privacy and constitutional rights of Americans, and such violations of the laws of the very Government the C.I.A. theoretically protects. So much for the supposed efficacy of Congressional oversight, and the willingness of the agency to cooperate with the overseers.

Arthur Summerfield, Postmaster-General in the early years of the program was misled as to its extent, according to the Helms testimony, and his immediate successors were not informed of it at all—an early example of C.I.A. deception of its own Government and subversion of official institutions and processes.

That neither Mr. Helms nor a later Postmaster-General, Winton M. Blount, could agree on exactly what the latter was told about mail covers suggests how ad hoc and inadequate were the sketchy procedures later followed to inform the postal department of the perversions of law being practiced in its own house.

And when Mr. Helms and other C.I.A. officials tried to tell Postmaster-General J. Edward Day "something very secret" (about the mail covers) in 1961, Mr. Day protested that he did not want to know, so that he could not be blamed for any possible leaks. Thus, he exemplified that abdication of personal responsibility by Government officials that did so much to permit the vast growth of secret, unlawful and imperial power in America.